

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

OWEN RICKER,
Plaintiff,

v.

ALEJANDRO MAYORKAS,
SECRETARY, U.S. DEPARTMENT OF
HOMELAND SECURITY,
Defendant.

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No. 5:22-cv-3829

ORDER

AND NOW, this 18th day of April, 2023, upon consideration of the Motion to Dismiss brought by Defendant Alejandro Mayorkas in his official capacity as Secretary of the United States Department of Homeland Security, *see* ECF No. 9, and for the reasons set forth in the Opinion issued on this date, **IT IS ORDERED THAT:**

1. Defendant's Motion to Dismiss, ECF No. 9, is **GRANTED**.
2. Plaintiff Owen Ricker's case is **DISMISSED with prejudice** for lack of subject matter jurisdiction and/or failure to state a claim for relief pursuant to the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.
3. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge